

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARNITHA HILL, et al.,

Plaintiffs,

v.

CITY OF SACRAMENTO, et al.,

Defendants.

No. 2:22-cv-01625 DAD AC PS

ORDER and

FINDINGS AND RECOMMENDATIONS

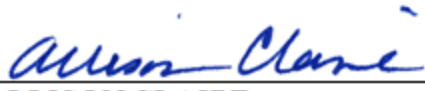
Plaintiffs are proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. ("Local Rule") 302(c)(21). On October 7, 2022, defendants filed a motion to dismiss. ECF No. 5. Plaintiffs did not respond to the motion. On October 26, 2022, concerned that plaintiffs had abandoned this case, the court issued an order to show cause within 14 days why this action should not be dismissed for failure to prosecute. ECF No. 6. Plaintiffs were cautioned that failure respond could lead to a recommendation that the action be dismissed. Id. at 2. Plaintiffs again did not respond. Plaintiffs have not responded to the court's orders, nor taken any action to prosecute this case.

Therefore, IT IS HEREBY ORDERED that the hearing date on the pending motion to dismiss (ECF No. 5) is VACATED to be re-set if necessary.

Further, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court's order. See Fed. R. Civ. P. 41(b); Local Rule 110.

1           These findings and recommendations are submitted to the United States District Judge  
2 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one  
3 (21) days after being served with these findings and recommendations, plaintiff may file written  
4 objections with the court. Such document should be captioned “Objections to Magistrate Judge’s  
5 Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file  
6 objections within the specified time may waive the right to appeal the District Court’s order.  
7 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

8 DATED: November 3, 2022

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10 ALLISON CLAIRE  
11 UNITED STATES MAGISTRATE JUDGE  
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